

## EXHIBIT 1



Entered on Docket  
March 12, 2008

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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*Attorneys for USACM Liquidating Trust*

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,<sup>1</sup>

USA SECURITIES, LLC,<sup>2</sup>

Debtors.

**Affects:**

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR<sup>1</sup>  
Case No. BK-S-06-10729-LBR<sup>2</sup>

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**ORDER SUSTAINING FIRST  
OMNIBUS OBJECTION OF USACM  
TRUST TO PROOFS OF CLAIM  
BASED UPON INVESTMENT IN  
THE HOMES FOR AMERICA  
HOLDING, LLC – RIVIERA 2ND  
DEED OF TRUST LOAN**

Date of Hearing: February 21, 2008  
Time of Hearing: 9:30 a.m.

<sup>1</sup> This bankruptcy case was closed on October 12, 2007.

<sup>2</sup> This bankruptcy case was closed on December 26, 2007.

1 Pending before the Court is the USACM Liquidating Trust's First Omnibus  
2 Objection to Proofs of Claim Based Upon Investment in the Homes for America Holding,  
3 LLC – Riviera 2nd Deed of Trust Loan (the "Objection") [DE 5637]. Adequate notice of  
4 the Objection was given. No responses were filed to the Objection and no opposition was  
5 raised to the Objection at the hearing on February 21, 2008. Good cause appearing,

6 IT IS ORDERED that the Objection is sustained and the Proofs of Claim listed on  
7 Exhibit A attached are disallowed in their entirety because they were based entirely upon  
8 an investment in the Homes for America Holding, LLC – Riviera 2nd Deed of Trust Loan.

9 ###

10 PREPARED AND SUBMITTED:

11 **LEWIS AND ROCA LLP**

12  
13 By: /s/ RC (#0006593)

14 Susan M. Freeman

15 Rob Charles

16 John Hinderaker

17 *Attorneys for USACM Liquidating Trust*  
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CERTIFICATION OF COUNSEL PURSUANT TO LOCAL RULE 9021

In accordance with Local Rule 9021, the undersigned certifies:

- ☐ The Court waived the requirements of LR 9021.
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who have appeared at the hearing regarding this matter and/or who filed a written objection and each has:
- ☐ approved the form of this order;
- ☐ waived the right to review the order;
- ☐ failed to file and serve papers in accordance with LR 9021(c); and/or
- ☐ failed to sign and return this proposed order within five (5) business days in accordance with LR 9021(b).
- ☐ I have delivered a copy of this proposed order to all attorneys and unrepresented parties who appeared at the hearing regarding this matter and/or who filed a written objection and all have either approved the form of this order, waived the right to review the order, failed to file and serve papers in accordance with LR 9021(c) and the following have disapproved the form of the order.
- ☒ No opposition was filed and no other party or counsel appeared at the hearing.

**LEWIS AND ROCA LLP**

By: /s/ RC (#0006593)  
Susan M. Freeman  
Rob Charles  
John Hinderaker  
*Attorneys for USACM Liquidating Trust*

**EXHIBIT A****HFA – Riviera 2<sup>nd</sup>  
First Omnibus Objection  
Single Loan Claims**

<b>Claim</b>	<b>Name</b>	<b>Address</b>	<b>Total Claim Amount</b>	<b>Amount Subject to Objection Because it Relates to an Investment In the HFA - Riviera 2nd Loan</b>
<b>10725-01355</b>	Cynthia Avanzino	14519 SE 13th Place Bellevue, WA 98007	7,512.00	7,512.00
<b>10725-00160</b>	Chiappetta Trust Dated 4/1/03	c/o Pat and JoAnn Chiappetta Trustees 7043 Cinnamon Drive Sparks, NV 89436	75,000.00	7,512.00
<b>10725-01976</b>	John P. and Nancy K. Manter Living Trust	1449 Tirol Drive Incline Village, NV 89451	25,000.00	25,000.00
<b>10725-01981</b>	John Manter	1449 TIROL DR INCLINE VILLAGE NV 89451-7902	50,000.00	50,000.00
<b>10725-02222</b>	James Rogers IRA	Pensco Trust Co. Inc. Custodian 78 Seal Rock Drive San Francisco, CA 94121	102,150.00	102,150.00
<b>10725-00946</b>	David Stoebling	3568 East Russell Road, Suite D Las Vegas, NV 89120-2234	979.54	979.54